

X-16723

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)

INTERNATIONAL APPLICATION NO.
PCT/US2005/009301

INTERNATIONAL FILING
DATE

PRIORITY DATE CLAIMED

17 March 2005 (17.03.2005)

26 March 2004 (26.03.2004)

TITLE OF INVENTION: COMPOUNDS AND METHODS FOR TREATING DYSLIPIDEMIA

APPLICANT(S) FOR DO/EO/US.: Michael Gregory Bell, Guoqing Cao, Ana Maria Escribano; Maria Carmen Fernandez, Peter Ambrose Lander, Nathan Bryan Mantlo, Eva Maria Martin De La Nava, Ana Isabel Mateo Herranz, Daniel Ray Mayhugh, Xiaodong Wang


Applicant herewith submits to the U.S. Designated/Elected Office (DO/EO/US) the following items and other information:

- | | | |
|-----|-------------------------------------|--|
| 1. | <input checked="" type="checkbox"/> | This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. |
| 2. | <input type="checkbox"/> | This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. |
| 3. | <input type="checkbox"/> | This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). |
| 4. | <input checked="" type="checkbox"/> | The US has been elected (Article 31). |
| 5. | <input checked="" type="checkbox"/> | A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). |
| 6. | <input type="checkbox"/> | A translation of the International Application into English (35 U.S.C. 371(c)(2)). |
| 7. | <input checked="" type="checkbox"/> | Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. |
| 8. | <input type="checkbox"/> | A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). |
| 9. | <input checked="" type="checkbox"/> | An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). |
| 10. | <input type="checkbox"/> | A declaration of the inventors 35 U.S.C. 371(c)(4) was provided in the PCT Request Form. |
| 11. | <input type="checkbox"/> | A copy of the International Preliminary Report on Patentability (IPRP), including any annexes, and, if not in English, an English language translation of the annexes to the IPER under PCT Article 36 (35 U.S.C. 371(c)(5)). |

Items 12. to 18. below concern document(s) or information included:

- | | | | | |
|-----|-------------------------------------|---|-------------------------------------|---------------------------|
| 12. | <input checked="" type="checkbox"/> | An Information Disclosure Statement under 37 CFR 1.97 and 1.98. | <input checked="" type="checkbox"/> | Search Report from ISA/EP |
| 13. | <input type="checkbox"/> | An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. | | |
| 14. | <input type="checkbox"/> | Assignment has been recorded at reel _____, frame _____. | | |
| 15. | <input checked="" type="checkbox"/> | A FIRST preliminary amendment. | | |
| | <input type="checkbox"/> | A SECOND or SUBSEQUENT preliminary amendment. | | |
| 16. | <input type="checkbox"/> | A Sequence Listing, 1.821 Statement, and diskette. | | |
| 17. | <input checked="" type="checkbox"/> | A power of attorney with 3.73(b) certificate | | |
| 18. | <input checked="" type="checkbox"/> | Other items or information: | | |

Please amend the first page of the specification by inserting the following cross-reference after the title:
 “This is the national phase application, under 35 USC 371, for PCT/US2005/009301, filed 17 March 2005, which
 claims the benefit, under 35 USC 119(e), of US provisional applications 60/557,134 filed 26 March 2004, and
 60/621,162 filed 22 October 2004..”

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		INTERNATIONAL APPLICATION NO. PCT/US2005/009301		ATTORNEY'S DOCKET NUMBER X-16723	
19.	<input checked="" type="checkbox"/>	The following fees are submitted:		CALCULATIONS PTO USE ONLY	
(a)	Basic national fee (37 CFR 1.492(a)).....\$300.00			\$300.00	
(b)	Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0 All other situations.....\$200			\$200.00	
(c)	Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400 All other situations.....\$500			\$400.00	
TOTAL AMOUNT (a + b + c) =				\$ 900.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		22-20=	2	X \$50.00	\$ 100.00
Independent claims		3-3=	0	X \$200.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$ 100.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$ 1,000.00	
Processing fee of \$130.00 for furnishing English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).				\$	
\$40.00 per property +					
TOTAL FEES ENCLOSED =				\$ 1,000.00	
				Amount to be refunded	\$
				charged	\$
a.		A check in the amount of \$_____ to cover the above fees is enclosed.			
b.	<input checked="" type="checkbox"/>	Please charge my Deposit Account No. 05-0840 in the amount of <u>\$1,000.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.			
c.	<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-0840. A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: ELI LILLY AND COMPANY PATENT DIVISION P.O. BOX 6288 INDIANAPOLIS, INDIANA 46206-6288 <u>31 August 2006</u> Date <u>42.021</u> REGISTRATION NUMBER			<u>/James B. Myers/</u> SIGNATURE <u>James B. Myers</u> <u>317.276.0755</u> TELEPHONE NUMBER		 25885 PATENT TRADEMARK OFFICE